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September 10, 2021

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MOHAMMAD OMAR FAROQUE,

X

Case No. 19-cv-10608-VM

Plaintiff,

-vs.-

**JUDGMENT PURSUANT  
TO RULE 68**

LENOX ROOM CORP. d/b/a TBAR STEAK AND  
LOUNGE and ANTHONY FORTUNA  
aka TONY FORTUNA,

Defendants.

X

**WHEREAS**, plaintiff commenced this action by filing a complaint on March 12, 2019, alleging violations to 28 U.S.C. 1331, 28 U.S.C. 201, the Fair Labor Standards Act (“FLSA”) and 28 U.S.C. 1367.

**WHEREAS**, on or about August 27, 2021, the defendants Lenox Room Corp. (d/b/a Tbar Steak and Lounge), Anthony Fortuna a/k/a Tony Fortuna (collectively, the “defendants”) made an Offer of Judgment in this matter pursuant to Rule 68 of the Federal Rules of Procedure (Exhibit A attached hereto); and

**WHEREAS**, on September 7, 2021, plaintiff accepted the defendants offer (Exhibit B, attached hereto);

**NOW, THEREFORE, IT IS HEREBY ORDERED THAT:**

1. The defendants shall pay plaintiff Mohammad Omar Faroque the sum of Fifteen Thousand Dollars (\$15,000), pursuant to the Rule 68 Offer of Judgment, inclusive of reasonable attorney fees, costs and expenses to date, in full and final settlement of all

plaintiff's claims against the defendants arising out, alleged in, or related to, the facts and transactions alleged in the above-captioned action.

2. This judgment shall be in full satisfaction of all federal and state law claims or rights that plaintiff may have to damages, or any other form of relief, arising out of the alleged acts or omissions of defendants or any owner, employee, or agent, either past or present, of the defendants, or in connection with the facts and circumstances that are the subject of this action.

3. The Offer of Judgment was made for the purposes specified in Rule 68 of the Federal Rules of Civil Procedure and is not to be construed as an admission of liability by any of the defendants, or any owner, employee, representative, or agent of any of the defendants; nor is it an admission that plaintiff has suffered any damages.

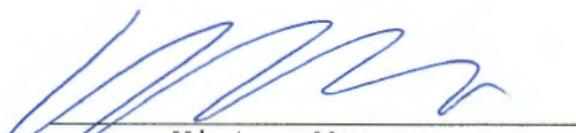
4. The sum total of Fifteen Thousand Dollars (\$15,000) shall be paid in one (1) payment within five (5) days of receipt of a Satisfaction of Judgment which shall be held in escrow by the defendants' counsel until said payment is made.

Counsel for the plaintiff will prepare and file a Satisfaction of Judgement which shall be approved by defense counsel prior to payment herein.

Dated: New York, New York

10 September, 2021

SO ORDERED:



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Victor Marrero  
U.S.D.J.